

1  
2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

8 \* \* \*

9 EDWARD G. RODRIGUEZ,

Case No. 3:15-cv-00339-MMD-WGC

10 Petitioner,

ORDER

11 v.

12 R. BAKER, et al.,

13 Respondents.

14 This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28  
15 U.S.C. § 2254 by a Nevada state prisoner. On November 13, 2015, this Court granted  
16 petitioner's motion for counsel and appointed the Federal Public Defender to represent  
17 petitioner in this action. (Dkt. no. 6.) On December 14, 2015, Kenneth Lee of the  
18 Federal Public Defender's Office appeared on behalf of petitioner. (Dkt. no. 8.) The  
19 Court now sets a schedule for further proceedings in this action.

20 It is therefore ordered that counsel for petitioner meet with petitioner as soon as  
21 reasonably possible, if counsel has not already done so, to: (a) review the procedures  
22 applicable in cases under 28 U.S.C. § 2254; (b) discuss and explore with petitioner, as  
23 fully as possible, the potential grounds for habeas corpus relief in petitioner's case; and  
24 (c) advise petitioner that all possible grounds for habeas corpus relief must be raised at  
25 this time in this action and that the failure to do so will likely result in any omitted  
26 grounds being barred from future review.

27 It is further ordered that petitioner will have ninety (90) days from the date of  
28 entry of this order, to file and serve on respondents an amended petition

1 for writ of habeas corpus, which must include all known grounds for relief (both  
2 exhausted and unexhausted).

3 It is further ordered that respondents will have thirty (30) days after service of an  
4 amended petition within which to answer, or otherwise respond to, the amended  
5 petition. If petitioner does not file an amended petition, respondents will have thirty (30)  
6 days from the date on which the amended petition is due within which to answer, or  
7 otherwise respond to, petitioner's original petition.

8 It is further ordered that if and when respondents file an answer, petitioner will  
9 have thirty (30) days after service of the answer to file and serve a reply.

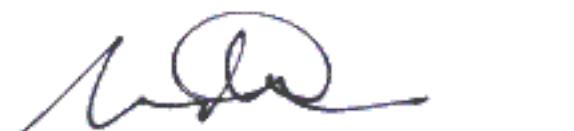
10 It is further ordered that any state court record exhibits filed by the parties herein  
11 must be filed with an index of exhibits identifying the exhibits by number or letter. The  
12 CM/ECF attachments that are filed must further be identified by the number or numbers  
13 (or letter or letters) of the exhibits in the attachment.

14 It is further ordered that the parties must send courtesy (paper) copies of all  
15 exhibits presented in support of the amended petition and the response to the amended  
16 petition to the Reno Division of this Court. Courtesy copies must be mailed to the Clerk  
17 of Court, 400 S. Virginia St., Reno, NV, 89501, and directed to the attention of "Staff  
18 Attorney" on the outside of the mailing address label. Additionally, in the future, all  
19 parties must provide courtesy copies of any additional exhibits submitted to the Court in  
20 this case, in the manner described above.

21 It is further ordered that the Clerk of Court will modify the docket to remove  
22 petitioner's address from the CM/ECF docket and replace it with the address for the  
23 Federal Public Defender's Office, as indicated on the notice of appearance.

24 It is further ordered that petitioner file no further *pro se* documents and proceed  
25 by and through appointed counsel.

26 DATED THIS 16<sup>th</sup> day of December 2015.



27  
28 MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE